

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

BENAMAX ICE, LLC

Plaintiff,

v.

MERCHANTS MUTUAL INSURANCE
COMPANY, JOHN DOES (1-10), AND ABC
COMPANIES (1-10)

Defendant.

No. 1:20-CV-08069-JHR-KMW

NOTICE OF MOTION TO
DISMISS PURSUANT TO
FED. R. CIV. PRO. 12(B)(6)

TO: Robert W. Williams, Esq.
Ashley S. Nechemia, Esq.
Mattleman, Weinroth & Miller PC.
401 Route 10 East B Suite 100
Cherry Hill, New Jersey 08034

COUNSEL:

PLEASE TAKE NOTICE that on August 17, 2020 at 9:00 a.m., or at such other date and time as the Court may direct, defendant Merchants Mutual Insurance Company, through its undersigned counsel, will move before the Hon. Joseph H. Rodriguez at the United States District Court of New Jersey located at the Mitchell H. Cohen Building & U.S. Courthouse, 4th and Cooper Streets, Camden, NJ 08101 for an order dismissing Plaintiff, Benamax Ice, LLC's Complaint pursuant to Federal Rule of Civil Procedure (12)(b)(6).

PLEASE TAKE FURTHER NOTICE that defendants will rely on the accompanying Memorandum of Law submitted herewith.

PLEASE TAKE FURTHER NOTICE that a proposed form of order is submitted herewith.

PLEASE TAKE FURTHER NOTICE that oral argument is requested.

Dated: July 22, 2020

Respectfully submitted,

/s/ Nicole M. Crowley
Nicole M. Crowley, Esq.
Goldberg Segalla LLP
Attorneys for Defendant Merchants
Mutual Insurance Company

CERTIFICATION OF SERVICE

On this date, I caused to be filed and served, via the ECF system, a copy of the foregoing Notice of Motion, together with copies of the supporting Memorandum of Law and proposed form of Order. I also caused copies of these documents to be sent via New Jersey Lawyers Service, addressed to the following counsel in this matter:

Robert W. Williams, Esq.
Ashley S. Nechemia, Esq.
Mattleman, Weinroth & Miller PC.
401 Route 10 East B Suite 100
Cherry Hill, New Jersey 08034

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and accurate. Executed on July 22, 2020.

/s/ Nicole M. Crowley
Nicole M. Crowley